

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA)
)
) Case No. 1:06CR00009
)
v.) **ORDER**
)
)
DAVID SHAWN HICKS,) By: James P. Jones
) Chief United States District Judge
Defendant.)

Based upon the court's de novo review of those portions of the magistrate judge's report and recommendations dated March 28, 2006, to which the defendant objected, it is **ADJUDGED AND ORDERED** as follows:

1. The defendant's objections are overruled;
2. The magistrate judge's report and recommendations are accepted; and
3. The motion to dismiss the indictment is DENIED.

ENTER: April 13, 2006

/s/ JAMES P. JONES
Chief United States District Judge